

## **AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

1. I, Justin Masuhr, do hereby swear and depose the following:
2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since February 2008. I am a graduate of the Federal Law Enforcement Training Academy and the ATF National Academy located in Brunswick, GA. In my capacity as a Special Agent with the ATF, I am educated in Federal Criminal Law and I'm responsible for enforcing the same pursuant to the United States Constitution and Federal Criminal Code. The ATF is an agency of the Executive Branch of the United States government and is charged with prosecuting violations of federal law.
3. Based upon my training and experience stated herein above, information provided by other law enforcement officers, and through my participation in an investigation related to the unlawful possession of a firearm by a convicted felon in Bristol, Virginia by Chester BOUGHERS and Jonathan SHAW, I know:
4. Pursuant to Title 18, USC, Section 922(g)(1) it is unlawful for any person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year; to possess in or affecting commerce, any firearm or ammunition.
5. On May 17, 2018, the Bristol Virginia Police Department (BVPD) was dispatched to a shooting in progress on Martin Luther King Boulevard in city of Bristol, Virginia. Dispatch stated the caller was following the vehicle that had fired at him. Dispatch stated the suspect's car was a red in color Chevy possibly driven by Chester BOUGHERS. As BVPD officers responded, dispatch directed officers to the area of

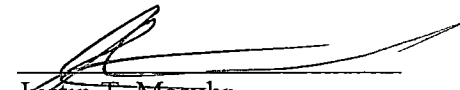
Piedmont Ave. Upon arrival, officers located the suspect's car at the intersection of Piedmont Ave and Glenway Ave. A felony traffic stop was then performed on the suspect vehicle.

6. During the ensuing traffic stop, BVPD officers located Chester BOUGHERS in the driver seat of the vehicle and identified Jonathan SHAW as a passenger.
7. During a search of the vehicle, BVPD Officer Lowe located a Raven Arms .25 Caliber pistol (SN 1048831) and a small black bag containing a white crystal substance in the center of the vehicle near the gear shift. Also located in the center console was a second bag of white crystal substance. The white crystal substance field-tested positive for methamphetamine. The total approximate weight of the bags was 58 grams. Officers also located needles and a black digital scale inside the vehicle.
8. On May 30, 2018, ATF SA Justin Masuhr and BVPD Investigator Angela Simpson interviewed Mark Bourque, the individual who called 911 on May 17, 2018 regarding BOUGHERS and SHAW.
9. Borque stated he had known BOUGHERS and SHAW for several years. Borque stated he knew BOUGHERS dealt crystal methamphetamine. Borque advised he had purchased drugs from BOUGHERS in the past. Borque stated he knew BOUGHERS sold narcotics and would drop it off to people. Borque stated SHAW was BOUGHERS source of supply for methamphetamine.
10. Borque said he had seen a picture of BOUGHERS possessing a firearm on Facebook.
11. Borque stated he had seen SHAW with a firearm on two occasions. SHAW was known to carry a black pistol.

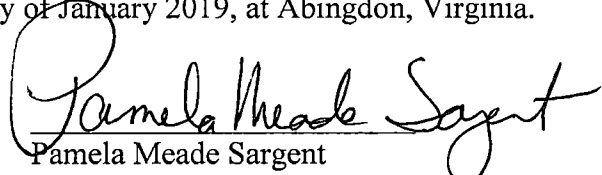
12. SA Masuhr conducted a search of law enforcement databases and found that, both BOUGHERS and SHAW have previously been convicted of a felony and are prohibited from possessing firearms. SA Masuhr also contacted BOUGHERS and SHAW's probation officers who stated both individuals were convicted felons and on active probation.
13. On January 10, 2019, ATF Special Agent Stephen Levesque a Interstate Nexus expert examined the firearm <sup>Jm</sup> in question. SA Levesque determined that if this firearm was <sup>(Raven Arms .25 caliber serial # 1045831) Jm pms 1/17/19</sup> received and/or possessed in the State of Virginia, it traveled in or affected interstate and/or foreign commerce.
14. On January 10, 2019, BVPD Investigator Simpson provided SA Masuhr with a copy of the Virginia State Forensic Labs analysis showing both BOUGHERS and SHAW had tested positive for gunshot residue following the shooting incident on May 17, 2018.
15. Based upon the facts set forth above, I believe there is probable cause for the issuance of an arrest warrant for Chester BOUGHERS and Jonathan SHAW, due to unlawful possession of a firearm by a convicted felon in Bristol, VA in the Western District of Virginia.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

1/17/19  
Date

  
Justin T. Masuhr  
Special Agent / ATF

Subscribed and sworn to before me, this 17th day of January 2019, at Abingdon, Virginia.

  
Pamela Meade Sargent  
United States Magistrate Judge